

**BOROUGH OF LONGPORT
COMMISSION MEETING AGENDA
November 20, 2015
3:00 pm**

This meeting was called pursuant to the provisions of the Open Public Meetings Law. Notices of this meeting were emailed to The Current and The Press of Atlantic City. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk. Notices on the bulletin board have remained continuously posted.

1. Flag Salute
2. Meeting called to order - OPMA notice announced
3. Mayor Russo – Emergency exit announcement/Public Speaking limit.
4. **Approval of Minutes** – 10/21/15 regular & 11/12/15 workshop
5. **ORDINANCES** (2nd Reading – Public Comment)
 - O2015-14** Creating Chapter 107 Carry Out Bag Usage Reduction Ordinance for the Borough of Longport in the Code of the Borough of Longport
 - O2015-15** Ordinance of the Borough of Longport, County of Atlantic, New Jersey, Appropriating Certain Unexpended Proceeds of the Sale of Previously Issued Bonds and Notes to Finance the Cost of Additional Capital Improvements and Taking Related Actions
6. **ORDINANCES** (1st READING – INTRODUCTION. Second Reading scheduled for 12/2)
 - O2015-16** An Ordinance Amending Chapter 134 – Races of the Code of the Borough of Longport as it Pertains to Safety and Well Being
7. Public comment/ questions on any resolution listed on this agenda – limit to 3 minutes/person
8. **RESOLUTIONS**
 - R2015-104 Chapter 159 – Budget Insertion for 2015 Body Armor Replacement**
 - R2015-105 Authorizing a Tax Refund Due to Overpayment**
 - R2015-106 Awarding Professional Service Contract - Winkelstein**
 - R2015-107** Cancel Tax Credit – Block 41, Lot 1.03
 - R2015-108** Authorizing Non Fair and Open Professional Services Contract with Concord Atlantic Engineers for Central Plant Replacement of Municipal Hall
 - R2015-109** Authorizing Transfer of Appropriations
 - R2015-110** Awarding Professional Service Contract –Fire Dept Physicals
 - R2015-111** Change Order Authorization for R. Maxwell – Replacement of Doors and Passageways within the Police Department of Municipal Hall
 - R2015-112** Granting Longport Seaview Condominium a Non Exclusive Revocable License for an Encroachment on Borough Property or Right of Way
 - R2015-113** Granting Bramante Residence, Block 104, Lot 1, a Non Exclusive Revocable License for an Encroachment on Borough Property or Right of Way
 - R2015-114** Authorizing a Professional Services Contract with Lothar L. Hapke for Construction Coordination on Water Tank Improvement Project
9. **Bill Pay List and Financial Report Summary**
10. **Commissioners’ Reports**
11. **Public Comment**
12. **Adjournment**

Posted: 11-16-15

Revised: 11-19-15

BOROUGH OF LONGPORT
COMMISSION MEETING
November 20, 2015
3:00 pm

PURSUANT TO THE OPEN PUBLIC MEETINGS ACT, ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN ACCORDANCE WITH THE LAW.

*The sound recording of this meeting did not begin until #3 on the Agenda – Mayor – Emergency exit announcement/ Public Speaking time limit due to a problem with the audio recording equipment.

Flag Salute- Meeting called to order.

Open Public Meeting Announcement

Roll Call – Mayor Nicholas Russo, Commissioner Jim Leeds and Commissioner Dan Lawler. Also present: Solicitor Pat Agnellini, Engineer Richard Carter and Deputy Clerk Monica Kyle. CFO Jenna Kelly attended the meeting shortly after it began.

Mayor Russo - Fire exit announcement and public speaking time limit.

Approval of minutes for the 10/21/15 regular and 11/12/15 workshop commission meeting. Commissioner Leeds made a motion to accept the minutes. Commissioner Lawler seconded the motion. ALL IN FAVOR – ALL AYES - none opposed.

*The following ordinance had a second reading and public hearing:
Public Hearing on ordinance:*

O2015-14 an Ordinance Creating Chapter 107 Carry Out Bag Usage Reduction Ordinance for the Borough of Longport in the Code of the Borough of Longport.

The following individuals commented:

Beth Kwart of 125 N. Derby Avenue, Ventnor, NJ, and of the Surfrider Foundation – South Jersey Chapter. Ms. Kwart noted that there is currently a federal bill addressing a similar topic. She was happy to see Longport be the first municipality in NJ to pass this ordinance and thanked the mayor and commissioners.

Mayor Russo noted that the borough received several emails and a letter requesting that the mayor and commissioners oppose the carry out bag usage reduction ordinance.

Monica Coffey, 16 N. Fredericksburg Avenue, Margate, NJ, Chair of the Sustainable Margate committee, echoed Ms. Kwart's comments and thanked the governing body for taking a leadership role and paving the way for other towns.

Bruce Funk, 102 S. 19th Avenue, Longport, also expressed his support of the ordinance, noting that it was a step in the right direction.

Francine Smith, 408 N. Cornwall Avenue, Ventnor, NJ, also voiced her support for the ordinance.

The governing body reviewed the correspondence that had come in requesting that the ordinance be opposed.

Mayor Russo asked Solicitor Agnellini his position regarding the correspondence received and the argument that a municipality does not have the authority to enact the ordinance.

Solicitor Agnellini remarked that the ordinance in question is within the power of the governing body of the municipality of Longport to adopt.

John Weber of Bradley Beach, NJ, also a volunteer for the Surfrider Foundation, asked to be able to comment on the ordinance. He noted that it is important to note that the ordinance imposes a fee, and that it is not a tax. He also applauded the governing body for taking action on the ordinance.

Mayor Russo discussed the ordinance noting that it is important to raise awareness of this important environmental issue, adding that the governing body needs to have the vision to look forward.

Commissioner Leeds agreed with Mayor Russo. He also noted that the beach rake often gets put out of order due to plastic bags getting caught in it, this should help provide a savings by reducing the amount of bags on the beaches. He supported the ordinance.

Commissioner Lawler also agreed adding that the beach cleanups were a real eye opener regarding the amount of bags found on Longport beaches. He found that there are just as many found in April as there are in October.

Mary Nugent of 2604 Oberon Avenue also spoke in favor of the ordinance. She noted that she sees plastic bags as far as 100 miles off of the shore.

Mayor Russo also noted that plastic bags and grass clippings are also found in the storm drains when they are vacuumed out. He is concerned with these findings.

Commissioner Lawler made a motion to approve, with a second by Commissioner Leeds. Roll Call Vote: Mayor Russo – Yes, Commissioner Leeds – Yes, and Commissioner Lawler – Yes. ALL IN FAVOR – YES. None opposed.

*The following ordinance had a second reading and public hearing:
Public Hearing on ordinance:*

O2015-15 an Ordinance of the Borough of Longport, County of Atlantic, New Jersey, Appropriating Certain Unexpended Proceeds of the Sale of Previously Issued Bonds and Notes to Finance the Cost of Additional Capital Improvements and Taking Related Actions.

CFO Kelly explained the ordinance.

The public hearing was opened to the public and no one wished to speak.

Commissioner Leeds made a motion to approve, with a second by Commissioner Lawler. Roll Call Vote: Mayor Russo – Yes, Commissioner Leeds – Yes, and Commissioner Lawler – Yes. ALL IN FAVOR – YES. None opposed.

The following ordinances were introduced for a first reading, with a second reading scheduled for December 12, 2015:

*Introduction of **O2015-16 an Ordinance Amending Chapter 134 – Races of the Code of the Borough of Longport, Atlantic County, New Jersey as it Pertains to Safety and Well Being.** An amendment was made to the ordinance to include “Section 6E.02 of” in section 134-4 of the ordinance. Solicitor Agnellini explained the ordinance. Mayor Russo made a motion to approve, with a second by Commissioner Lawler. ALL IN FAVOR – YES. None opposed.*

Public Comment/Questions on Resolutions listed on this agenda (3 minutes/person) - Offered to the public:

There were no comments on the resolutions.

Resolutions:

R2015-104 Resolution for a Chapter 159 – Budget Insertion for 2015 Body Armor Replacement. CFO Kelly explained the resolution. Mayor Russo made motion to approve and seconded by Commissioner Leeds. ALL IN FAVOR – ALL AYES – none opposed.

R2015-105 Resolution Authorizing a Tax Refund Due to Overpayment. CFO Kelly explained the resolution and noted that there was a change, “Surety Title Co. LLC” should read “William Green”. Mayor Russo made a motion to approve with a second by Commissioner Leeds. ALL IN FAVOR - ALL AYES – none opposed.

R2015-106 Resolution Awarding Professional Service Contract – Winkelstein. Solicitor Agnellini explained the resolution. Mayor Russo made a motion to approve and seconded by Commissioner Lawler. ALL IN FAVOR – ALL AYES – none opposed.

R2015-107 Resolution to Cancel Tax Credit Block 41, Lot 1.03. This resolution was removed from the agenda. Mayor Russo made a motion to remove and seconded by Commissioner Leeds. ALL IN FAVOR – ALL AYES – none opposed.

R2015-108 Resolution Authorizing a Non Fair and Open Professional Services Contract with Concord Atlantic Engineers, Inc. of West Atlantic City, NJ for Central Plant Replacement of Municipal Hall. Engineer Carter discussed the resolution. Commissioner Leeds noted that he was not in favor of the resolution. Mayor Russo made a motion to approve and seconded by Commissioner Lawler. ALL IN FAVOR – Mayor Russo, Commissioner Lawler. Commissioner Leeds - OPPOSED.

R2015-109 Authorizing Transfer of Appropriations. CFO Kelly explained the resolution. Mayor Russo made a motion to approve and seconded by Commissioner Lawler. ALL IN FAVOR – ALL AYES – none opposed.

R2015-110 Resolution Awarding Professional Service Contract – Fire Department Physicals. Solicitor Agnellini explained the resolution and noted that approval is subject to review of the contract. Commissioner Leeds noted that there is still a lot of discussion on the resolution and that he was opposed to approving it until more issues could be worked out. Mayor Russo made a motion to approve and seconded by Commissioner Lawler. ALL IN FAVOR – Mayor Russo, Commissioner Lawler. Commissioner Leeds – OPPOSED.

R2015-111 Approval of Change Order Number 1 – Final for R. Maxwell Construction, Incorporated for the Replacement of Doors and Passageways Within Police Department of Municipal Hall. Engineer Carter discussed the resolution. Mayor Russo made a motion approve and seconded by Commissioner Leeds. ALL IN FAVOR – ALL AYES – none opposed.

R2015-112 A Resolution Granting Longport Seaview Condominium Association a Non-Exclusive Revocable License for an Encroachment on Borough Property or Right of Way. Solicitor Agnellini discussed the resolution. Commissioner Leeds also discussed the resolution. Mayor Russo made a motion to approve and seconded by Commissioner Lawler. ALL IN FAVOR – ALL AYES – none opposed.

R2015-113 A Resolution Granting Bramante Residence, Block 104, Lot 1, a Non-Exclusive Revocable License for an Encroachment on Borough Property or Right of Way. Solicitor Agnellini explained the resolution. Mayor Russo made a motion to approve and seconded by Commissioner Lawler. ALL IN FAVOR – ALL AYES – none opposed.

R2015-114 A Resolution Authorizing a Professional Services Contract with Lothar L. Hapke of Landenberg, Pennsylvania for Construction Coordination on Water Tank Improvement Project. Engineer Carter explained the resolution. Mayor Russo made a motion to approve and seconded by Commissioner Lawler. ALL IN FAVOR – ALL AYES – none opposed.

Mayor Russo acknowledged Likie Nika of Ozzie's Luncheonette for her support in passing the Carryout Bag Reduction ordinance.

Commissioner Leeds asked if there were any questions on the Bill Pay List. Being none, he proceeded to read the Financial Report Summary. He asked if there were any questions on the report summary. There were no questions. Commissioner Leeds made a motion to approve the Bill Pay List and Financial Report Summary, Commissioner Lawler seconded. ALL IN FAVOR – ALL AYES – none opposed.

Commissioners' Reports:

Mayor Russo reported that while at the League of Municipalities convention in Atlantic City, he was presented with a plaque from Rutgers commending Longport for being first place in print media for its newsletter, Town Topics. He thanked Bruce Funk for all his hard work putting the newsletter together. Mr. Funk said it was a team effort and also thanked Mary Sue Lovett of the Longport Historical Society.

Commissioner Leeds had no reports for today.

Commissioner Lawler had no reports for today.

Public Comment:

David Wehr of 134 No. 32nd Avenue, Longport, came before the mayor and commissioners to talk about flooding on 32nd Avenue. He and Engineer Carter discussed previous communications they have had on the issue. They continued to discuss the issue. Mr. Wehr also noted that there is a planter near the bulkhead on 32nd Avenue that is in disrepair and is unsafe. Mr. Wehr will meet with Commissioner Lawler to discuss the issue further.

Mary Nugent of 2604 Oberon Avenue, Longport, wanted to know what was the board's position on potential annexation of Seaview Harbor, Egg Harbor Township. Mayor Russo noted that if it gets to the point that annexation is close to occurring, the borough will research the pros and cons, create a report and take a formal position on the issue. Mrs. Nugent stated that she is against the annexation of Seaview Harbor to the Borough of Longport.

Toby Narpino, of the lawn care industry, voiced his concern over the borough potentially introducing an ordinance that would ban the use of handheld leaf blowers. Mayor Russo noted that there would be an opportunity for input from the lawn care community on the leaf-blowing situation on the borough.

Francine Kenny of 225 N. 36th Avenue, Longport, came before the mayor and commissioners to express her concern regarding sidewalk snow removal. She said it is an issue for year round residents. Mayor Russo noted that he would place the item for discussion at the next commission workshop meeting.

Engineer Carter commended the borough noting that all taxes were paid eliminating a potential tax sale.

Mr. Wehr of 32nd Avenue noted that fertilizer going into the streets is also an issue in the borough.

With nothing further to discuss and no additional public comment, Commissioner Leeds made a motion to adjourn, with a second by Commissioner Lawler. ALL IN FAVOR - ALL AYES – none opposed.

Meeting adjourned at 4:14 pm.